

**Egyptian Regional Human Rights Authority**  
**Meeting Minutes**  
**March 27, 2012**

The regular meeting of the Human Rights Authority was held at the Shawnee Community College, 8364 Shawnee College Road, Ullin, IL. Chair, Pam O'Connor, called the meeting to order at 5:17 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Pam O'Connor, Clarence Russell, Sharon Mumford, Jim Livesay, Kathy Rambeau, Sue Barfield and Mary McMahan

Members Absent: Phyllis Brown and Al Farmer

Staff Present: Teresa Parks, Kim Conway

Guests: None

Sharon Mumford made a motion to approve the November 8, 2011 and January 24, 2012 meeting minutes. The motion was seconded and carried.

Teresa Parks shared correspondence from a student intern requesting HRA Member input on a survey concerning the possible development of a password protected internet site for HRA Members. Surveys were distributed and the HRA was asked to complete and send to the student intern or to Teresa.

**Ratifications - New Complaints**

The following cases were approved for case acceptance through emergency case opening procedures with the approval of Chair, Pam O'Conner and two HRA Members, Mary McMahan and Jim Livesay on December 1, 2011:

**12-110-9009 - Choate Mental Health and Developmental Center** - A CILA recipient with behavioral health needs that were jeopardizing his CILA placement and impacting the safety of other CILA recipients was unable to access more intensive services available through admission to a state-operated facility. The recipient was instead arrested for his behaviors and is now in the criminal justice system.

**12-110-9011 - Chester Mental Health Center** - A recipient is dissatisfied with his assigned therapist because the therapist doesn't act in his behalf and his request to change therapists has been denied.

**12-110-9012 - Chester Mental Health Center** - The complaints allege that a recipient was placed in restraints for no valid reasons, that the recipient is restricted from his room for "socialization," and that the unit temperature is cold and uncomfortable. The complaint further states that the recipient whose legal status is UST has been found fit per testing but staff will not recommend him as being fit until he agrees to psychotropic medication a recipient at a state op whose legal status is UST. It is reported that he has passed the fitness test; however, staff at the facility have informed him that he will not be recommended as fit until he agrees to take psychotropic medication. The recipient has refused to take the medication; therefore, he remains at the facility.

**12-110-9013 - Chester Mental Health Center** - The complaint alleges that the recipient is not receiving services in the least restrictive environment and that the treatment planning process is inadequate. According to the complaint the recipient has been on "green" level (the least

restrictive level) and had no restraint incidents since December 2010 and has been at the facility for 8 years. However, the recipient is not being considered for a transfer to a less restrictive environment. The complaint contends that when the recipient meets with the treatment team, they ask him only one question regarding his need for medication and then dismiss him; there reportedly is no more discussion regarding his treatment plan or desire to be transfer. The transfer seems to hinge on the recipient's response to this one question in spite of his improved level status, lack of behaviors and lack of restraint incidents.

**12-110-9014 - Chester Mental Health Center** - The complaint alleges that a facility aide interacts inappropriately with recipients by "picking fights" and making inappropriate statements. In addition, the complaint contends that the recipient was inappropriately restrained without cause. The Office of Inspector General has reportedly been involved.

Sue Barfield made a motion to ratify the emergency case openings of Cases #12-110-9009, 12-110-9011, 12-110-9012, 12-110-9013 and 12-110-9014. The motion was seconded and carried.

#### **Ratifications - Report Approvals**

The following reports were approved by Al Farmer at the 01-24-12 meeting; telephone approvals were made by Pam O'Conner, Mary McMahan, James Livesay, Sue Barfield and Sharon Mumford.

**11-110-9046 - Chester Mental Health Center**

**11-110-9047 - Chester Mental Health Center**

**12-110-9004 - Southern Illinois Social Services**

**12-110-9005 - Chester Mental Health Center**

**12-110-9010 - Coleman Tri-County DT Services**

Sue Barfield made a motion to ratify report approvals for Cases #11-110-9046, 11-110-9047, 12-110-9004, 12-110-9005, and 12-110-9010; the motion was seconded and carried.

#### **Ratifications - Case Closures**

The following cases were approved for case closure by Al Farmer at the 01-24-12 meeting; telephone approvals were made by Pam O'Conner, Mary McMahan, James Livesay, Sue Barfield and Sharon Mumford.

**11-110-9051 - Chester Mental Health Center**

**12-110-9002 - Specialized Training for Adult Rehabilitation (START)**

Sue Barfield made a motion to ratify case closures for Cases #11-110-9051 and 12-110-9002; the motion was seconded and carried.

#### **New Complaints**

**12-110-9003 - Community Hospital** - A restrictive posey net restraint is being utilized to restrain patients with behavioral health needs in the hospital emergency room. There is no release of information; instead this is a general policy issue. Mary McMahan made a motion to

table case acceptance pending the receipt of additional follow-up information to be secured by Mary and Jim.

**12-110-9015 - CILA Provider** - CILA staff opened a resident's mail denying the resident private communication by mail. A resident was to contact the HRA to discuss further, including arrangements for a release; however, the resident has not contacted the HRA and the resident is believed to have moved to a new address. An internet search was conducted and a person with the same name in the same area was sent HRA information with no response. Sue Barfield made a motion not to accept the case; the motion was seconded and carried.

**12-110-9016 - Prison** - An inmate is not receiving medications for a medical problem. Proof regarding a disability was requested and the HRA received a memo from the inmate of thyroid related concerns. GAC Counsel review was sought and we still question the inmate's qualifications as a person with a disability and whether or not the issue of appropriate medications for a medical condition is beyond the HRA's scope and competence. Therefore a referral to the Illinois Medical Board is recommended. Sharon Mumford made a motion not to accept the complaint and refer the complainant to the Medical Board; the motion was seconded and carried.

**12-110-9017 - State-Operated Mental Health Facility** - The complaint alleges that a recipient was placed in handcuffs and assaulted by staff in the Stem of a unit where there are no cameras. This was reported to the human rights committee chair, facility administrator and OIG. The recipient requested documentation of the incident and copies of pictures taken of his injuries but his request has been denied. The complaint also alleges that the internal OIG investigation process is not adequate in that there is a conflict of interest and a lack of objectivity when STAs investigate other STAs. This also was discussed with OIG. A release of information has been secured. Sue Barfield made a motion to accept the case for investigation; the motion was seconded and carried.

**12-110-9018 - State Operated Mental Health Facility** - a recipient has been assaulted by staff and peers. Peer assaults are reportedly ignored by staff. The complaint also stated that the recipient feels unsafe and fearful. Finally, the complaint states that a recipient is over medicated. A report was filed with OIG. HRA information and a release were sent to the recipient with no response to date. Sue Barfield made a motion to table case acceptance pending the receipt of a release; the motion was seconded and carried.

**12-110-9019 - State Operated Mental Health Facility** - a recipient's medical complaints are ignored by the unit nurse; an example given was that a sore on the recipient's feet was not addressed. Another example is that the recipient is losing weight and wants extra food but the weight loss is not being addressed even when brought up in TPR. And, the recipient is denied a request to see the physician. The complaint also stated that when the recipient changed units due to space needs his pass level was downgraded and he was told he had to start over. Finally, the complaint states that the recipient wants a new therapist as the current therapist does not allow contact with OIG and advocacy groups. A release of information has been secured. Jim Livesay made a motion to accept the complaint for investigation; the motion was seconded and carried. OIG has been notified.

**12-110-9020 - State Operated Mental Health Facility** - the complaint alleges that the recipient is not being served in the least restrictive environment and the treatment planning process is inadequate. A release has been secured. Sue Barfield made a motion to accept the complaint for investigation; the motion was seconded and carried.

**12-110-9021 - State Operated Mental Health Facility** - the complaints concerns fitness status. A letter was sent to the recipient requesting more complaint information and a signature on a release; the HRA explained that it has no jurisdiction over court-ordered admission or fitness determination. A response and a release were received although concerns still focus on court decisions and representation. Mary McMahan made a motion not to accept the complaint for investigation; the motion was seconded and carried.

**12-110-9022 - ICFDD** - the complaint alleges concerns regarding visitation rights, placement and guardianship. HRA information and a release were sent but the letter was returned due to a wrong address. The letter was just resent with no response to date. Clarence Russell made a motion to accept the case for investigation; the motion was seconded and carried.

**12-110-9023 - State Operated Mental Health Facility** - the complaint alleges lack of cleanliness and limited housekeeping services on recipient units. Mary McMahan made a motion to table case acceptance pending further review; the motion was seconded and carried.

UNFINISHED BUSINESS - Sue Barfield made a motion to enter closed session at 6:00 p.m. to discuss confidential information regarding case progress, draft reports and case closures. The motion was seconded and carried. The HRA returned to open session at 6:35 p.m. having taken no action in closed session. The following summary of items was discussed: Case progress was reviewed for Cases #12-110-9009, 12-110-9011, 12-110-9012, 12-110-9013 and 12-110-9014; Draft Reports were reviewed for Cases #12-110-9006, 12-110-9007, 12-110-9008 and 12-110-9013; and case closures were considered for Cases #11-110-9046, 11-110-9047, 12-110-9004, 12-110-9005 and 12-110-9010.

#### **Case Progress Reports**

**12-110-9009 - Choate Developmental Center/DHS** - Mary McMahan and Jim Livesay reported that a meeting was held with the involved CILA provider and PAS agency. Records have been reviewed. Mary, Jim, Teresa and Kim will participate in a conference call with DHS tomorrow. And, more records have been requested.

**12-110-9011 - Chester Mental Health Center** - Al, Teresa and Kim have met with the recipient and obtained the file which is currently under review.

**12-110-9012 - Chester Mental Health Center** - A report is being developed after meeting with the recipient, examining his record and discussing with staff.

**12-110-9013 - Chester Mental Health Center** - A report has been developed and will be presented later in the meeting.

**12-110-9014 - Chester Mental Health Center** - A file has been secured and is being reviewed.

**Reports of Findings**

**12-110-9006 - Chester Mental Health Center** - Sue Barfield made a motion to approve the draft report; the motion was seconded and carried.

**12-110-9007 - Chester Mental Health Center** - Sue Barfield made a motion to approve the draft report; the motion was seconded and carried.

**12-110-9008 - Saline Care Center** - Sue Barfield made a motion to approve the draft report; the motion was seconded and carried.

**12-110-9013 - Chester Mental Health Center** - Sue Barfield made a motion to approve the draft report with revisions; the motion was seconded and carried.

**Case Closures**

**11-110-9046 - Chester Mental Health Center** - Sharon Mumford made a motion to close the case, making the findings a part of the public record; the motion was seconded and carried. No response was required and none was provided.

**11-110-9047 - Chester Mental Health Center** - a response was required but not provided. Mary McMahan made a motion to table case closure due to the lack of a response; the motion was seconded and carried.

**12-110-9004 - Southern Illinois Social Services** - Sharon Mumford made a motion to close the case making the findings a part of the public record; the motion was seconded and carried. No response was required and none was provided.

**12-110-9005 - Chester Mental Health Center** - a response was required but not provided. Mary McMahan made a motion to table case closure due to the lack of a response; the motion was seconded and carried.

**12-110-9010 - Coleman Tri-County DT Services** - Mary McMahan made a motion to table case closure pending additional follow-up to the provider's response; the motion was seconded and carried.

The next meeting is scheduled for May 22, 2012 at The Depot in Anna.

Kathy Rambeau made a motion to adjourn at 6:38 p.m.; the motion was seconded and carried.

Respectfully Submitted,

Kathy Rambeau, Secretary

